

DETAILED ACTION

1. Applicants' amendment filed June 3, 2010 is acknowledged. Claims 1-22 are deleted. Claims 23 and 37 are amended. Now, Claims 23-48 are pending.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Mr. Gary D. Mangels on August 10, 2010.

The application has been amended as follows:

In Claim 23 (last line), after "material" insert

-- wherein constituent A is a mixture A-3: (i) of at least one resin having, in its structure, at least two different siloxyl units selected from those of formula $(R^3)_3SiO_{0.5}$ (unit M), $(R^3)_2SiO$ (unit D) and $R^3SiO_{1.5}$ (unit T), at least

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one of said units being a T unit, the OH and/or OR¹ groups being optionally borne by the M, D and/or T units and the content by weight of OH and/or OR¹ groups lying between 0.2 and 10 wt %, and (ii) of at least one other resin having, in its structure, at least two different siloxyl units selected from those of formula (R³)₃SiO_{0.5} (unit M), (R³)₂SiO (unit D) and R³SiO_{1.5} (unit T) and SiO₂ (unit Q), at least one of said units being a Q unit, the OH and/or OR¹ groups being optionally borne by the M, D and/or T units and the content by weight of OH and/or OR¹ groups lying between 0.2 and 10 wt % --.

Delete Claim 36.

In Claim 39 (2nd line from bottom), after "HFs;" insert – or --.

4. Claim objection(s) in the previous Office Action (Paper No. 20100227) is/are removed.
5. Claim rejection(s) under 35 USC 102/103 in the previous Office Action (Paper No. 20100227) is/are removed.

Allowable Subject Matter

6. Claims 23-35 and 37-48 are allowed.

7. The following is an examiner's statement of reasons for allowance:

The present claims are allowable for at least the following reason(s) over the closest reference: Zotto (US 4 781 973) and Maruyama (US 5 391 680)

Zotto discloses a method of treating a textile material employing a composition comprising a) an MQ or MDQ resin, b) an alkylalkoxypolysiloxane resin containing Q units, c) a condensation catalyst, such as tetrabutyltitanate, zirconium octoate, etc. and optionally an alkoxy crosslinking agent. (col. 1, line 61 to col. 2, line 21, col. 3, line 52 to col. 4, line 28 and Examples) Component a) can contain hydroxy or alkoxy groups. (col. 2, lines 46-55) The alkoxy crosslinking agent can be methyltrimethoxysilane, etc. (col. 3, lines 3-12 and col. 5, lines 7-42) However, Zotto does not teach or fairly suggest the use of the presently claimed mixture A-3.

Maruyama discloses a method of coating a textile substrate with a crosslinkable silicone composition. The composition comprises a MDT

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resin containing hydrolyzable groups and at least one of a silicate (e.g., ethyl silicate, n-propyl orthosilicates, etc.), a polydimethylsiloxane end-capped with hydroxyl groups, amino-containing alkoxysilanes, etc. (col. 1, lines 54-63, col. 2, lines 14-54, col. 7, line 54 to col. 8, line 6 and Examples) Optionally, additives such as solvent, etc can be used. (col. 7, lines 37-48) The composition can be cured as described in col. 8, lines 7-17. However, Zotto does not teach or fairly suggest the use of the presently claimed mixture A-3.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang Peng whose telephone number is (571) 272-1091. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Seidleck, can be reached on (571) 272-1078.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

klp
August 10, 2010

/Kuo-Liang Peng/
Primary Examiner, Art Unit 1796